

Panaji, 15th November, 2007 (Kartika 24, 1929)

SERIES I No. 33

OFFICIAL GAZETTE

GOVERNMENT OF GOA



GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/2/2007-LA

The National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 (Ordinance No. 7 of 2007), which has been promulgated by the President in the Fifty-eighth Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, No. 42, dated 15-09-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 8th October, 2007.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

*New Delhi, the 15th September, 2007/24 Bhadra,
1929 (Saka)*

THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS (SPECIAL PROVISIONS) SECOND ORDINANCE, 2007

No. 7 of 2007

*Promulgated by the President in the Fifty-eighth
Year of the Republic of India.*

An Ordinance to make special provisions for the National Capital Territory of Delhi for a further

period up to 31st December, 2008 and for matters connected therewith or incidental thereto.

Whereas there had been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan of Delhi 2001 and the relevant Acts and building bye-laws made thereunder;

And whereas the Master Plan of Delhi 2001 has been extensively modified and notified by the Central Government on 7th February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development *vis-a-vis* the social, financial and other ground realities;

And whereas the Master Plan of Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector;

And whereas a revised policy for relocation and rehabilitation of slum dwellers in the National Capital Territory of Delhi is also under consideration of the Central Government;

And whereas a strategy and a scheme has been prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi 2021;

And whereas some time is required for making orderly arrangements in accordance

with the revised policy for relocation and rehabilitation of slum dwellers of Delhi as well as for putting in place the scheme for regulation of urban street vendors in terms of the Master Plan of Delhi 2021 and also the national policy in this regard;

And whereas the Central Government has considered and finalised a policy regarding regularisation of unauthorised colonies, village *abadi* area and its extension, as existed on the 31st day of March, 2002 for which the guidelines are being framed;

And whereas the Central Government require time to take a considered view on the policy regarding existing farm houses involving construction beyond permissible building limits and regarding schools, dispensaries, religious institutions and cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, *inter alia*, in the light of recommendations of the Expert Committees constituted by the Central Government in the year 2006;

And whereas the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 for making special provisions for the areas of the National Capital Territory of Delhi for a further period of one year promulgated on 4th July, 2007 will cease to operate from the 21st day of September, 2007;

And whereas the National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 introduced in Parliament to replace the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 could not be taken up for consideration and passing since Parliament adjourned *sine die*;

And whereas it is expedient to have a law in terms of the Master Plan of Delhi, 2021, in continuation of the said Ordinance for a period up to 31st December, 2008 to provide temporary relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any action by the concerned agency in respect of persons covered by the policies referred to above which are expected to be finalised within the period so extended;

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give continued effect to the plan, scheme and policies aforesaid;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent, commencement and duration.*— (1) This Ordinance may be called the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007.

(2) It extends to the National Capital Territory of Delhi.

(3) It shall be deemed to have come into force on the 19th day of May, 2007.

(4) It shall cease to have effect on the 31st day of December, 2008 except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, shall apply as if this 10 of 1897. Ordinance had then been repealed by a Central Act.

2. *Definitions.*— (1) In this Ordinance, unless the context otherwise requires,—

(a) “building bye-laws” means bye-laws made under section 481 of the Delhi Municipal Corporation Act, 1957 or the bye-laws made under 66 of 1957. section 188, sub-section (3) of section 189 and sub-section (1) of section 190 of the Punjab Municipal Act, 1911, as in force in New Delhi or the Punjab act regulations made under sub-section 3 of 1911. (1) of section 57 of the Delhi Development Act, 1957, relating to 61 of 1957. buildings;

(b) “Delhi” means the entire area of the National Capital Territory of Delhi except the Delhi Cantonment as defined in clause (11) of section 2 of the Delhi Municipal Corporation Act, 1957; 66 of 1957.

(c) “encroachment” means unauthorised occupation of Government land or public land

by way of putting temporary, semi-permanent or permanent structure for residential use or commercial use or any other use;

(d) “local authority” means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957, or 66 of 1957. the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994 or the 44 of 1994. Delhi Development Authority established under the Delhi Development Act, 1957, legally 61 of 1957. entitled to exercise control in respect of the areas under their respective jurisdiction;

(e) “Master Plan” means the Master Plan for Delhi with the perspective for the year 2021 notified, *vide* the notification number S. O. 141(E) dated 7th February, 2007 under the Delhi Development Act, 1957; 61 of 1957.

(f) “notification” means a notification published in the Official Gazette.

(g) “punitive action” means action taken by a local authority under the relevant law against unauthorised development and shall include demolition, sealing of premises and displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise;

(h) “relevant law” means in case of—

(i) the Delhi Development Authority, the Delhi Development Act, 1957; 61 of 1957.

(ii) the Municipal Corporation of Delhi, the Delhi Municipal Corporation Act, 1957; and 66 of 1957.

(iii) the New Delhi Municipal Council, the New Delhi Municipal Council Act, 1994; 44 of 1994.

(i) “unauthorised development” means use of land or use of building or construction of building or development of colonies, village *abadi* area and its extension, carried out in contravention of the sanctioned plans or

without obtaining the sanction of plans, or in contravention of the land use as permitted under the Master Plan or Zonal Plan or layout plan, as the case may be, and includes any encroachment.

(2) The words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Delhi Development Act, 1957, the 61 of 1957. Delhi Municipal Corporation Act, 1957 66 of 1957. and the New Delhi Municipal Council 44 of 1994. Act, 1994.

3. *Enforcement to be kept in abeyance.*— (1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Ordinance, take all possible measures to finalise norms, policy guidelines and feasible strategies to deal with the problem of encroachment or unauthorised development in the form of encroachment by slum dwellers and *Jhuggi-Jhopri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* area and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:

(a) policy for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhopri* clusters in accordance with provisions of the Master Plan of Delhi 2021 to ensure development of Delhi in a sustainable, planned and humane manner;

(b) strategy for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan of Delhi 2021;

(c) scheme containing guidelines for regularisation of unauthorised colonies, village *abadi* area and its extension, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007;

(d) policy regarding existing farm houses involving construction beyond permissible building limits; and

(e) policy regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgement, decree or order of any court, *status quo*—

(i) as on the 1st day of January, 2006 in respect of encroachment or unauthorised development; and

(ii) in respect of unauthorised colonies, village *abadi* area and its extension, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1),

shall be maintained.

(3) All notices issued by any local authority for initiating action against encroachment or unauthorised development referred to in sub-section (1), shall be deemed to have been suspended and no punitive action shall be taken till the 31st day of December, 2008.

(4) Notwithstanding any other provision contained in this Ordinance, the Central Government may, at any time before the 31st day of December, 2008, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (2) or sub-section (3), as the case may be.

4. *Provisions of this Ordinance not to apply in certain cases.*— During the period of operation of this Ordinance, no relief shall be available under the provisions of section 3 in respect of the following encroachment or unauthorised development, namely:—

(a) encroachment on public land except in those cases which are covered under clauses (a), (b) and (c) of sub-section (1) of section 3;

(b) removal of slums and *Jhuggi-Jhompri* dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village *abadi* area and its extension, in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.

5. *Power of Central Government to give directions.*— The Central Government may, from time to time, issue such directions to the local authorities as it may deem fit, for giving effect to the provisions of this Ordinance and it shall be the duty of the local authorities to comply with such directions.

6. *Repeal and savings.*— (1) The National Capital Territory of Delhi Laws Ordinance (Special Provisions) Ordinance, 2007 is 6 of 2007. hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, Ordinance 2007, shall be deemed to have been 6 of 2007. done or taken under the corresponding provisions of this Ordinance.

Pratibha Devisingh Patil,
President.

Brahm Avtar Agrawal,
Additional Secretary to the Govt. of India.

Notification

10/2/2007-LA

The Prohibition of Child Marriage Act, 2006 (Central Act No. 6 of 2007), which has been passed by the Parliament and assented to by the President of India on 10-01-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 11-01-2007, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 18th July, 2007.

**THE PROHIBITION OF CHILD MARRIAGE ACT,
2006**

AN

ACT

to provide for the prohibition of solemnisation of child marriages and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*— (1) This Act may be called the Prohibition of Child Marriage Act, 2006.

(2) It extends to the whole of India except the State of Jammu and Kashmir; and it applies also to all citizens of India without and beyond India:

Provided that nothing contained in this Act shall apply to the Renoncants of the Union territory of Pondicherry.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

2. *Definitions*— In this Act, unless the context otherwise requires,—

(a) “child” means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;

(b) “child marriage” means a marriage to which either of the contracting parties is a child;

(c) “contracting party”, in relation to a marriage, means either of the parties whose marriage is or is about to be thereby solemnised;

(d) “Child Marriage Prohibition Officer” includes the Child Marriage Prohibition Officer appointed under sub-section (1) of section 16;

(e) “district court” means, in any area for which a Family Court established under section 3 of the Family Courts Act, 1984 exists, such 66 of 1984. Family Court, and in any area for which there is no Family Court but a city civil court exists, that court and in any other area, the principal civil court of original jurisdiction and includes any other civil court which

may be specified by the State Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in this Act;

(f) “minor” means a person who, under the provisions of the Majority Act, 1875 is to be deemed not to have 9 of 1875. attained his majority.

3. *Child marriages to be voidable at the option of contracting party being a child.*— (1) Every child marriage, whether solemnised before or after the commencement of this Act, shall be voidable at the option of the contracting party who was a child at the time of the marriage:

Provided that a petition for annulling a child marriage by a decree of nullity may be filed in the district court only by a contracting party to the marriage who was a child at the time of the marriage.

(2) If at the time of filing a petition, the petitioner is a minor, the petition may be filed through his or her guardian or next friend along with the Child Marriage Prohibition Officer.

(3) The petition under this section may be filed at any time but before the child filing the petition completes two years of attaining majority.

(4) While granting a decree of nullity under this section, the district court shall make an order directing both the parties to the marriage and their parents or their guardians to return to the other party, his or her parents or guardian, as the case may be, the money, valuables, ornaments and other gifts received on the occasion of the marriage by them from the other side, or an amount equal to the value of such valuables, ornaments, other gifts and money:

Provided that no order under this section shall be passed unless the concerned parties have been given notices to appear before the district court and show cause why such order should not be passed.

4. *Provision for maintenance and residence to female contracting party to child marriage* — (1) While granting a decree under section 3, the district court may also make an interim or final order directing the male contracting party to the

child marriage, and in case the male contracting party to such marriage is a minor, his parent or guardian to pay maintenance to the female contracting party to the marriage until her remarriage.

(2) The quantum of maintenance payable shall be determined by the district court having regard to the needs of the child, the lifestyle enjoyed by such child during her marriage and the means of income of the paying party.

(3) The amount of maintenance may be directed to be paid monthly or in lump sum.

(4) In case the party making the petition under section 3 is the female contracting party, the district court may also make a suitable order as to her residence until her remarriage.

5. Custody and maintenance of children of child marriages.— (1) Where there are children born of the child marriage, the district court shall make an appropriate order for the custody of such children.

(2) While making an order for the custody of a child under this section, the welfare and best interests of the child shall be the paramount consideration to be given by the district court.

(3) An order for custody of a child may also include appropriate directions for giving to the other party access to the child in such a manner as may best serve the interests of the child, and such other orders as the district court may, in the interest of the child, deem proper.

(4) The district court may also make an appropriate order for providing maintenance to the child by a party to the marriage or their parents or guardians.

6. Legitimacy of children born of child marriages.— Notwithstanding that a child marriage has been annulled by a decree of nullity under section 3, every child begotten or conceived of such marriage before the decree is made, whether born before or after the commencement of this Act, shall be deemed to be a legitimate child for all purposes.

7. Power of district court to modify orders issued under section 4 or section 5.— The district court shall have the power to add to, modify or revoke any order made under section 4 or section

5 and if there is any change in the circumstances at any time during the pendency of the petition and even after the final disposal of the petition.

8. Court to which petition should be made.— For the purpose of grant of reliefs under sections 3, 4 and 5, the district court having jurisdiction shall include the district court having jurisdiction over the place where the defendant or the child resides, or where the marriage was solemnised or where the parties last resided together or the petitioner is residing on the date of presentation of the petition.

9. Punishment for male adult marrying a child.— Whoever, being a male adult above eighteen years of age, contracts a child marriage shall be punishable with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both.

10. Punishment for solemnising a child marriage.— Whoever performs, conducts, directs or abets any child marriage shall be punishable with rigorous imprisonment which may extend to two years and shall be liable to fine which may extend to one lakh rupees unless he proves that he had reasons to believe that the marriage was not a child marriage.

11. Punishment for promoting or permitting solemnisation of child marriages.— (1) Where a child contracts a child marriage, any person having charge of the child, whether as parent or guardian or any other person or in any other capacity, lawful or unlawful, including any member of an organisation or association of persons who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, including attending or participating in a child marriage, shall be punishable with rigorous imprisonment which may extend to two years and shall also be liable to fine which may extend up to one lakh rupees:

Provided that no woman shall be punishable with imprisonment.

(2) For the purposes of this section, it shall be presumed, unless and until the contrary is proved, that where a minor child has contracted a marriage, the person having charge of such minor child has negligently failed to prevent the marriage from being solemnised.

12. *Marriage of a minor child to be void in certain circumstances.*— Where a child, being a minor—

(a) is taken or enticed out of the keeping of the lawful guardian; or

(b) by force compelled, or by any deceitful means induced to go from any place; or

(c) is sold for the purpose of marriage; and made to go through a form of marriage or if the minor is married after which the minor is sold or trafficked or used for immoral purposes,

such marriage shall be null and void.

13. *Power of court to issue injunction prohibiting child marriages.*— (1) Notwithstanding anything to the contrary contained in this Act, if, on an application of the Child Marriage Prohibition Officer or on receipt of information through a complaint or otherwise from any person, a Judicial Magistrate of the first class or a Metropolitan Magistrate is satisfied that a child marriage in contravention of this Act has been arranged or is about to be solemnised, such Magistrate shall issue an injunction against any person including a member of an organisation or an association of persons prohibiting such marriage.

(2) A complaint under sub-section (1) may be made by any person having personal knowledge or reason to believe, and a non-governmental organisation having reasonable information, relating to the likelihood of taking place of solemnisation of a child marriage or child marriages.

(3) The Court of the Judicial Magistrate of the first class or the Metropolitan Magistrate may also take *suo motu* cognizance on the basis of any reliable report or information.

(4) For the purposes of preventing solemnisation of mass child marriages on certain days such as *Akshaya Trutiya*, the District Magistrate shall be deemed to be the Child Marriage Prohibition Officer with all powers as are conferred on a Child Marriage Prohibition Officer by or under this Act.

(5) The District Magistrate shall also have additional powers to stop or prevent solemnisation of child marriages and for this

purpose, he may take all appropriate measures and use the minimum force required.

(6) No injunction under sub-section (1) shall be issued against any person or member of any organisation or association of persons unless the Court has previously given notice to such person, members of the organisation or association of persons, as the case may be, and has offered him or them an opportunity to show cause against the issue of the injunction:

Provided that in the case of any urgency, the Court shall have the power to issue an interim injunction without giving any notice under this section.

(7) An injunction issued under sub-section (1) may be confirmed or vacated after giving notice and hearing the party against whom the injunction was issued.

(8) The Court may either on its own motion or on the application of any person aggrieved, rescind or alter an injunction issued under sub-section (1).

(9) Where an application is received under sub-section (1), the Court shall afford the applicant an early opportunity of appearing before it either in person or by an advocate and if the Court, after hearing the applicant rejects the application wholly or in part, it shall record in writing its reasons for so doing.

(10) Whoever knowing that an injunction has been issued under sub-section (1) against him disobeys such injunction shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to one lakh rupees or with both:

Provided that no woman shall be punishable with imprisonment.

14. *Child marriages in contravention of injunction orders to be void.*— Any child marriage solemnised in contravention of an injunction order issued under section 13, whether interim or final, shall be void *ab initio*.

15. *Offences to be cognizable and non-bailable.*— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable 2 of 1974.

under this Act shall be cognizable and non-bailable.

16. *Child Marriage Prohibition Officers.*— (1) The State Government shall, by notification in the Official Gazette, appoint for the whole State, or such part thereof as may be specified in that notification, an officer or officers to be known as the Child Marriage Prohibition Officer having jurisdiction over the area or areas specified in the notification.

(2) The State Government may also request a respectable member of the locality with a record of social service or an officer of the Gram Panchayat or Municipality or an officer of the Government or any public sector undertaking or an office bearer of any non-governmental organisation to assist the Child Marriage Prohibition Officer and such member, officer or office bearer, as the case may be, shall be bound to act accordingly.

(3) It shall be the duty of the Child Marriage Prohibition Officer—

(a) to prevent solemnisation of child marriages by taking such action as he may deem fit;

(b) to collect evidence for the effective prosecution of persons contravening the provisions of this Act;

(c) to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnisation of child marriages;

(d) to create awareness of the evil which results from child marriages;

(e) to sensitize the community on the issue of child marriages;

(f) to furnish such periodical returns and statistics as the State Government may direct; and

(g) to discharge such other functions and duties as may be assigned to him by the State Government.

(4) The State Government may, by notification in the Official Gazette, subject to such conditions

and limitations, invest the Child Marriage Prohibition Officer with such powers of a police officer as may be specified in the notification and the Child Marriage Prohibition Officer shall exercise such powers subject to such conditions and limitations, as may be specified in the notification.

(5) The Child Marriage Prohibition Officer shall have the power to move the Court for an order under sections 4, 5 and 13 and along with the child under section 3.

17. *Child Marriage Prohibition Officers to be public servants.*— The Child Marriage Prohibition Officers shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

18. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceedings shall lie against the Child Marriage Prohibition Officer in respect of anything in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

19. *Power of State Government to make rules.*— (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall, as soon as may be after it is made, be laid before the State Legislature.

20. *Amendment of Act No. 25 of 1955.*— In the Hindu Marriage Act, 1955, in section 18, for clause (a), the following clause shall be substituted, namely:—

“(a) in the case of contravention of the condition specified in clause (iii) of section 5, with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both”.

21. *Repeal and savings.*— (1) The Child Marriage Restraint Act, 1929 is hereby repealed.

(2) Notwithstanding such repeal, all cases and other proceedings pending or continued under the said Act at the commencement of this Act shall be continued and disposed of in accordance with the provisions of the repealed Act, as if this Act had not been passed.

Department of Personnel

Notification

1/47/(2)/76-PER (Vol. IV)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in supersession of the existing Recruitment Rules for the relevant post, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group 'B', Gazetted post, in the Directorate of Agriculture, Government of Goa, namely:—

1. Short title, application and commencement.—

(1) These rules may be called the Government of Goa, Directorate of Agriculture, Group 'B', Gazetted post, Recruitment Rules, 2007.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Number, classification and scale of pay.—

The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications.— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. Disqualification.— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

These rules are issued in consultation with the Goa Public Service Commission conveyed vide its letter No. COM/II/13/2(1)/07/1594 dated 22-10-2007.

By order and in the name of the Governor
of Goa.

Yetindra M. Maralkar, Joint Secretary
(Personnel).

Porvorim, 12th November, 2007.

SCHEDULE

Name/ /Designa- tion of post	Number of posts	Classifi- cation	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/transfer, grades from which promotion/ /deputation/transfer is to be made	If a D. P. C exists, what is its composition	Circumstances in which Goa Public Service Commission is to be consulted in making re- cruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Assis- tant Engi- neer (Civil).	02 (2007) (Sub- ject to varia- tion depen- dent on work- load).	Goa General Service, Group 'B' Gaze- tted.	Rs. 6,500 -200- -10,500	Sele- tion.	Not exceeding 40 years (Relaxable for Govern- ment servants upto 5 years in accor- dance with the instruc- tions or orders issued by the Govern- ment).	N. A.	<i>Essential:</i> (1) Degree in Civil Engi- neering of a recognized University or equivalent. (2) Two years profes- sional experience. (3) Knowledge of Konkani. <i>Note:-</i> Incase of non availability of a suitable candidate with the knowledge of Konkani, this requirement may be relaxed. <i>Note:-</i> (2) Qualification may be relaxed at the discretion of the Goa Public Service Commis- sion in case candidate is otherwise well qualified. <i>Note:-</i> (3) The Quali- fication(s) regarding experience may be relaxed at the descretion of the Goa Public Service Commission in the case of candidates belonging to Scheduled Castes and Scheduled Tribes if at any stage of selection, the Goa Public Service Commis- sion is of the opinion that sufficient number of candi- dates from these commu- nities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them. <i>Desirable:-</i> Knowledge of Marathi.	<i>Age:</i> No <i>Educa- tional Qualifi- cations:</i> To the extent indi- cated in Column (11).	Two years.	By promotion, failing which, by direct recruitment.	<i>Promotion:</i> (i) Junior Engineer from Soil Conserva- tion Division with three years regular service and posse- ssing Degree in Civil Engineering and (ii) Junior Engineer from Soil Conserva- tion Division with seven years regular service and pos- sessing Diploma in Civil Engineering.	Group 'B' Departmental Promotion Committee consisting of:- (1) Chairman/ /Member of the Goa Public Service Commission —Chairman. (2) Chief Secre- tary or his nominee —Member. (3) Administra- tive Secretary/ /Head of Department —Member.	Consultation with the Goa Public Service Commission is necessary for making direct recruitment, promotion, confirmation, and for amending/ relaxing any of the provi- sions of these rules.

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